

Remarks

Claims 1, 3-8, and 10-20 are pending in the application and the same are rejected. Claims 1, 3-8, and 10-20 remain in the application and are presented for review and further consideration by the Examiner.

The Examiner has rejected claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over McCurdy et al., U.S. Patent Application Publication No. US 2002/0035697, in view of Wade et al., U.S. Patent No. 5,552,776. (Examiner's Action, page 2, ¶ 3).

Applicants' respectfully disagree, as Applicants' date of invention predates the effective date of McCurdy.

McCurdy is a published patent application having a publication date of 3/21/2002. The application of McCurdy was filed 7/2/2001. McCurdy claims the priority of a provisional application filed 6/30/2000. Therefore, the effective date of McCurdy is no earlier than 6/30/2000.

Applicants' date of invention was no later than 5/9/2000. In support, Applicants submit the attached declaration, under 37 CFR 1.131, and internal invention disclosure having drawings and a description of the invention. Since Applicants' date of invention predates the effective date of McCurdy, McCurdy cannot be used as a basis for rejection for the present invention.

Furthermore, the remaining reference, Wade, does not disclose each of the elements of the present invention, as claimed. Wade discloses a security system for computing devices. Wade at least does not disclose reading or a record reader configured to read, from an input record, a recorded unique device identification and recorded device usage data; searching or an inspector configured to search an index for an enduring unique device identification matching the recorded unique device identification; or updating or an updater configured to update the index with the recorded device usage data.

In contrast, Applicants' independent claims 1, 8, and 15 include the wording related to, reading or a record reader configured to read, from an input

record, a recorded unique device identification and recorded device usage data; searching or an inspector configured to search an index for an enduring unique device identification matching the recorded unique device identification; and updating or an updater configured to update the index with the recorded device usage data. This wording is not disclosed or suggested in Wade.

In view of Applicants' arguments and amendments with respect to independent claims 1, 8, and 15 being allowable, Applicants respectfully submit that the remaining dependent claims are also allowable because they contain all of the limitations of their respective independent claims and further add structural and functional limitations.

The foregoing arguments are believed to be a complete response to the most recent Examiner's Action.

No new matter has been added.

It is respectfully submitted that there is no claim, teaching, motivation, or suggestion in any of the prior art cited, alone or in combination, to produce what Applicants claim.

It is further submitted that the application defines patentable subject matter and that the claims are in a condition for allowance. Such allowance at an early date is respectfully requested.

Should any issues remain which would preclude the prompt disposition of this case, it is requested that the Examiner contact the undersigned practitioner by telephone.

Respectfully submitted,
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